

# **BOARD OF COAL MINING EXAMINERS**

## **SUMMARY OF MEETING**

**APRIL 3, 2012**

**The following is a summary of the April 3, 2012 Meeting:**

- I. Meeting called to order at 9:12 AM by Joseph Buchanan, Acting Chairman. Members present were Gerald Kendrick, Joseph Buchanan, Arvil McConnell, Jr. and Ricky O'Quinn. Chairman Randy Moore was absent. Also present were Mary Gibson, Regulatory Boards Administrator, and Sharon Pigeon, Sr. Assistant Attorney General.**
- II. Opening statement delivered by Joseph Buchanan, Acting Chairman.**
- III. Motion made and seconded to accept April 3, 2012, meeting agenda and approve March 6, 2012, meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

**Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.**

**V. Open Agenda**

**The Board discussed whether or not the Board of Coal Mining Examiners should have a set alcohol concentration as qualifying as a positive drug screen. Currently, the language in the statute states "impaired", and does not specify a set level. Individual cases referred before the Board for violating their company's policy on alcohol are reviewed case by case to determine if the violation warrants the Board suspending the individual's certifications. A statutory change to the Coal Mine Safety Law or a regulatory change to the Safety and Health Regulations for Coal Mines will have to be pursued to establish a set concentration.**

**VI. Next Meeting**

**Next meeting will be May 1, 2012.**

**VII. Adjournment**

**Meeting adjourned at 4:30 PM.**